

Docket No.: 20269/1201776-US2
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Jay D. Kranzler et al.

Application No.: 10/623,431

Confirmation No.: 4067

Filed: July 18, 2003

Art Unit: 1614

For: METHODS OF TREATING FIBROMYALGIA
SYNDROME, CHRONIC FATIGUE
SYNDROME AND PAIN

Examiner: M. Graffeo

REQUEST FOR REFUND

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby request a refund of the \$1020.00 extension of time fee erroneously charged to our Deposit Account No. 04-0100 on June 12, 2007 for the above-identified application. A copy of the Deposit Account Statement received from the United States Patent and Trademark Office for the month of June 2007 is attached as Exhibit A.

A final Office Action in this application was mailed on November 29, 2006. The Applicant filed a response within two months, on January 17, 2007. The Patent Office did not issue an Advisory Action. Accordingly, the shortened statutory period did not expire and no fee should have been due with the Request for Continued Examination (RCE) and accompanying submission.

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Application No. 11/383,066
Request for Refund dated December 6, 2006

2

Docket No.: 20342/1202653-US8

Accordingly, Applicants respectfully request a refund of \$1020.00. Please credit the refund to Deposit Account No. 04-0100 in the name DARBY & DARBY P.C.

Dated: July 9, 2007

Respectfully submitted,

By

Paul M. Zagar

Registration No.: 52,392

DARBY & DARBY P.C.

P.O. Box 770

Church Street Station

New York, New York 10008-0770

(212) 527-7700

(212) 527-7701 (Fax)

Attorneys/Agents For Applicant

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EXHIBIT A

Deposit Account Statement

Page 1 of 2


**United States
Patent and
Trademark Office**
**Deposit Account Statement**

Requested Statement Month:

June 2007

Deposit Account Number:

040100

Name:

DARBY & DARBY P.C.

Attention:

ANGELINA STANTINI

Street Address 1:

7 WORLD TRADE CENTER

Street Address 2:

250 GREENWICH STREET

City:

NEW YORK

State:

NY

Zip:

10007

Country:

UNITED STATES

| DATE | SEQ | POSTING REF TXT | ATTORNEY DOCKET NBR | FEE CODE | AMT | BAL |
|-------|-------|--------------------|---------------------------|-------------|------------|-----------|
| 06/01 | 2 | 10445399 | 04040/100M588-US1 | 1401 | \$500.00 | \$60,040. |
| 06/01 | 24 | 29243386 | 02309/100M789-US2 | 1806 | \$180.00 | \$59,860. |
| 06/01 | 32 | 29243385 | 02309/100M789-US1 | 1806 | \$180.00 | \$59,680. |
| 06/01 | 34 | 29243384 | 02309/100M789-US3 | 1806 | \$180.00 | \$59,500. |
| 06/01 | 1 | 10402637 | 08226/1203349-US1 | 1201 | \$200.00 | \$59,300. |
| 06/04 | 2 | 10597847 | 03728/0206090-US0 | 1202 | \$150.00 | \$59,150. |
| 06/04 | 7 | 10256231 | 2309/0M136 | 1201 | \$400.00 | \$58,750. |
| 06/06 | 18 | PCT/US05/35950 | | 9204 | -\$109.00 | \$58,859. |
| 06/06 | 1 | 10503289 | 04242/0201658-US0 | 1202 | \$100.00 | \$58,759. |
| 06/06 | 2 | 10503289 | 04242/0201658-US0 | 1251 | \$120.00 | \$58,639. |
| 06/06 | 9106 | 11694931 | 08211/0206483-US0/P06846 | 8021 | \$40.00 | \$58,599. |
| 06/07 | 8966 | 11534605 | 08228/100S080-US2 | 8021 | \$40.00 | \$58,559. |
| 06/07 | 10173 | 60678165 | 04368/0202755-US0 | 8013 | \$25.00 | \$58,534. |
| 06/07 | 56 | 11739123 | 04304/0206754-US0 | 1011 | \$300.00 | \$58,234. |
| 06/08 | 12 | P113664 | MITCHELL BERNSTEIN | 1463 | \$200.00 | \$58,034. |
| 06/08 | 13 | P113663 | 054320205044 | 1463 | \$200.00 | \$57,834. |
| 06/08 | 2 | 11569346 | 09852/0205780-US0 | 1633 | \$200.00 | \$57,634. |
| 06/08 | 3 | 11569346 | 09852/0205780-US0 | 1642 | \$400.00 | \$57,234. |
| 06/08 | 1 | 10432826 | 6920/0M872US0 | 1251 | \$120.00 | \$57,114. |
| 06/08 | 1 | 10185761 | 004-6207 | 1814 | \$130.00 | \$56,984. |
| 06/08 | 30 | 11741220 | 04304/0206847-US0 | 1011 | \$300.00 | \$56,884. |
| 06/11 | 1 | 11303748 | 20154/0203670-US0 | 1401 | \$500.00 | \$56,184. |
| 06/11 | 44 | 10599429 | 20154/0205459-US0 | 1633 | \$200.00 | \$55,984. |
| 06/11 | 45 | 10599429 | 20154/0205459-US0 | 1642 | \$400.00 | \$55,584. |
| 06/12 | 1 | 10623431 | CYPR 100 CIP CON | 1253 | \$1,020.00 | \$54,564. |
| 06/15 | 3 | PCT/US06/60047 | 2202876-W00 | 8007 | \$20.00 | \$54,544. |

Deposit Account Statement

Page 2 of 2

| | | | | | |
|----------------------|----------|-------------------|------|------------|-----------|
| 06/19 1 | 11200900 | 20463/100H597-US2 | 2814 | \$65.00 | \$54,479. |
| 06/19 149 | 11569349 | 09852/0205763-US0 | 1615 | \$50.00 | \$54,429. |
| 06/19 150 | 11569349 | 09852/0205763-US0 | 1616 | \$360.00 | \$54,069. |
| 06/19 9759 | 11752104 | 08226/0206224-US0 | 8021 | \$40.00 | \$54,029. |
| 06/20 4 | 11752213 | 20269/1201776-US4 | 1203 | \$360.00 | \$53,669. |
| 06/21 4 | 11058762 | 20334/0202310-US0 | 1201 | -\$200.00 | \$53,869. |
| 06/21 1 | 11068093 | 03702/0202572-US0 | 1203 | \$360.00 | \$53,509. |
| 06/22 5 | 11105908 | 20346/0202704-US0 | 1806 | -\$180.00 | \$53,689. |
| 06/25 9 | 11575449 | 20294/0206391-US0 | 1615 | \$1,400.00 | \$52,289. |
| 06/25 10 | 11575449 | 20294/0206391-US0 | 1614 | \$200.00 | \$52,089. |
| 06/25 11 | 11575448 | 20294/0206391-US0 | 1642 | \$400.00 | \$51,689. |
| 06/25 12 | 11575449 | 20294/0206391-US0 | 1833 | \$200.00 | \$51,489. |
| 06/26 13905 6616821 | | 02198/000H372-US0 | 8021 | \$40.00 | \$51,449. |
| 06/26 26 2416008 | | 20908/300A944-US0 | 6206 | \$300.00 | \$51,149. |
| 06/27 12494 11738697 | | 20345/0206795-US0 | 8021 | \$40.00 | \$51,109. |
| 06/29 3 10135728 | | 300602002700 | 2252 | \$225.00 | \$50,884. |

START
BALANCE
\$60,540.02

SUM OF
CHARGES
\$10,145.00

SUM OF
REPLENISH
\$489.00

END
BALANCE
\$50,884.02

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FAX TRANSMISSION

DATE: July 9, 2007

PTO IDENTIFIER: Application Number 10/623,431-Conf. #4067
Patent Number

Inventor: Jay D. Kranzler et al.

MESSAGE TO: US Patent and Trademark Office - Refund Branch

FAX NUMBER: (571) 273-6500

FROM: DARBY & DARBY P.C.

Paul M. Zagar

PHONE: (212) 527-7718

Attorney Dkt. #: 20269/1201776-US2

PAGES (Including Cover Sheet): 7

CONTENTS:

Certificate of Transmission (1 pg)
Request for Refund (2 pgs)
Exhibit A (1 pg) w/ a Copy of the Deposit Account Statement (2 pgs)

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DARBY & DARBY P.C.

P.O. Box 5257, New York, New York 10150-5257
Telephone: (212) 527-7700 Facsimile: (212) 527-7701

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PTO/88/97 (09-04)

Approved for use through 07/31/2008. OMB 0851-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application No. (if known): 10/623,431

Attorney Docket No.: 20269/1201776-US2

Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.

on July 9, 2007
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Yvette Gonzalez
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Adjustment date: 07/18/2007 SFELEKE1
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